



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: May 24, 2005

Department: Zoning, Building, and Planning **Staff Contact:** Catherine VerEecke, Program Planner

TITLE: CONSENT: Special Use Permit for Specific Use for an Amusement Enterprise (Powered Paraglider) and watchman/caretaker mobile home (CSU-50010)

COUNTY PLANNING COMMISSION RECOMMENDATION: Approval

SUMMARY:

At the April 6, 2005 public hearing, the County Planning Commission voted (4-0; Holcomb, Montano, Becerra excused) to recommend approval of the request for a Special Use Permit for Specific Use for Amusement Enterprise (powered paraglider) and a Mobile Home Watchman/Caretaker on a portion of Lot 11, Roberson's Rio Puerco Estates (west on I-40 to Exit 140, west on Old Route 66, right at Bowling Exxon, then 1 mile north on gravel road), zoned A-1, containing approximately 9 acres. The decision was based on the following six (6) Findings and subject to the following twelve (12) Conditions.

Findings:

1. This is a request for a Special Use Permit for Specific Use for an Amusement Enterprise (powered paraglider) and a Mobile Home Watchman/Caretaker on a portion of Lot 11, Roberson's Rio Puerco Estates, zoned A-1, containing approximately 9 acres.
2. The property is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and the Far West Mesa Area of the West Side Strategic Plan.
3. A Special Use Permit for this property is consistent with Resolution 116-86 in that the conditions of approval will apply regulations that require the applicant to minimize the impact to the environment and to future development in the area.
4. The request is consistent with Resolution 116-86 in that this land use is more advantage to the community in that the Albuquerque/Bernalillo County Comprehensive Plan Goal for the Rural Area Policy 3.b which states that, "development in Rural Areas shall be compatible with natural resource capacities, including water availability and capacity, community and regional goals and shall include trail corridors where appropriate" in that the powered paraglider development will have minimal impact on the property and adjacent ranches.
5. This request has substantial neighborhood support.
6. This request is consistent with the health, safety, and general welfare of the residents of the

County.

Conditions:

1. The applicants shall obtain permits for all wells, signs (following C-2 zoning requirements), septic systems, and new structures on the site from the Zoning, Building, Planning, and Environmental Health Department. Evidence of water rights for the property shall be included with the well permit application.
2. The applicants shall obtain evidence of approval of the operation from Federal and State Agencies (as required). A copy of the approvals shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
3. The applicants shall obtain evidence of access easements through properties leading to the site shall be provided to the County Public Works Division for review and approval prior to commencing operation. A copy shall be provided to the Zoning, Building, Planning, and Environmental Health Department.
4. The applicants shall comply with road requirements as specified by the Bernalillo County Division of Public Works.
5. Evidence of Flood Plain Insurance must be provided to the County Public Works Division prior to commencing operation. A copy of the Insurance shall be provided to the Zoning, Building, Planning, and Environmental Health Department.
6. The applicants shall obtain a Surface Disturbance Permit from the City of Albuquerque Environmental Health Department prior to any earthmoving activities involving a parcel of $\frac{3}{4}$ of an acre or more. A copy of the permit shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
7. Lighting shall be site specific. Shielded or cutoff features shall be provided so that no fugitive light crosses into adjacent lots.
8. The applicants shall meet Conditions 1-7 (above) within one year of the final Board of County Commissioners' approval.
9. The applicants shall comply with all applicable Bernalillo County ordinances and regulations.
10. The Special Use Permit shall be issued for ten (10) years.
11. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within two months after the final approval of the Board of County Commissioners. The site development plan shall include landscaping and signage and a copy of the access plan.
12. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (April 8, 2005)
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

STAFF ANALYSIS SUMMARY**ZONING, BUILDING & PLANNING DEPARTMENT:**

Staff Recommends Approval